

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
MEMBERS: DEAN AUSILIO
ROGER KRZEMINSKI
KENNETH MEERSCHAERT, SR.
JOA PENZIEN
ARNOLD THOEL

ABSENT: None.

ALSO PRESENT: Jerome R. Schmeiser, Community Planning Consultant
Larry Dloski, Township Attorney
(Additional attendance on file with Clerk)

Call Meeting to Order.

Chairman GALLAGHER called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1. Roll Call.

Clerk KOEHS called the Roll. All members present.

2. Approval of the Agenda Items. (with any corrections)

MOTION by AUSILIO seconded by PENZIEN to approve the agenda as presented.

MOTION carried.

3. Approval of the January 20, 2004 previous Meeting Minutes.

MOTION by PENZIEN seconded by KRZEMINSKI to approve the January 20, 2004 meeting minutes.

MOTION carried.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

AGENDA ITEMS:

4. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the west side of Card Road approximately ½ mile north of 23 Mile Road; Portofina Villas, Petitioner. Permanent Parcel No. 08-15-426-005.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations of approval.

Public Portion: None.

Petitioner Present: Raj Khatri of R & K Engineering.

MOTION by AUSILIO seconded by THOEL to forward the recommendation to the Township Board of Trustees to approve the Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-15-426-005. This motion is based upon the Planning Consultants recommendations as follows:

1. **The proposed rezoning is consistent with the goals of the Master Plan.**
2. **The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

5. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the south side of 24 Mile Road approximately ½ mile west of future Broughton Road; Elro Corporation, Petitioner. Permanent Parcel No. 08-16-100-008.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations of approval.

Public Portion: None.

Petitioner Present: Daniel S. Spatafora of Elro Corporation.

MOTION by THOEL seconded by MEERSCHAERT to forward the recommendation to the Township Board of Trustees to approve the Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-16-100-008. This motion is based upon the Planning Consultants recommendations as follows:

1. **The proposed rezoning is consistent with the goals of the Master Plan.**

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

2. **The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

6. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the south side of 24 Mile Road west of future Broughton Road; Elro Corporation, Petitioner. Permanent Parcel No. 08-16-100-014.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations of approval.

Public Portion: None.

Petitioner Present: Daniel S. Spatafora of Elro Corporation.

MOTION by MEERSCHAERT seconded by KRZEMINSKI to forward the recommendation to the Township Board of Trustees to approve the Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-16-100-014. This motion is based upon the Planning Consultant recommendations as follows:

1. **The proposed rezoning is consistent with the goals of the Master Plan.**
2. **The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

7. Revised Site Plan for Hutchinson Mechanical; Located on the west side of Milano Drive, 800 feet north of 23 Mile Road; CEV Properties, Petitioner. Permanent Parcel No. 08-18-451-001.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations of approval.

Public Portion: None.

Petitioner Present: Edward Verhaeghe along with Sal D'Anna of CEV Properties.

MOTION by AUSILIO seconded by MEERSCHAERT to approve the Revised Site Plan for Hutchinson Mechanical; Permanent Parcel No. 08-18-451-001. This motion is based upon the Planning Consultants recommendations as follows:

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes and other geometrics and designs are subject to approval by the Macomb County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standard must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with the flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in the amount to be determined by the Township Engineer be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

- before the Planning Commission for consideration of an extension of the two year time period. The required bond has been posted.
9. That handicap parking be provided per the requirements of the State and ADA (American Disabilities Act).
 10. That all signs be designated on the site plan and meet the Township requirements.
 11. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding flood plains and/or wetlands to determine any building limitations.
 12. MDEQ-That specific conditions and approvals regarding changes to the 100 year flood plain be done with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment of the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
 13. That any required wall or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, which is with panel hung on channeled pillars, shall not be allowed.
 14. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the Macomb County Drain office.
 15. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after the site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
 16. That any future splitting and/or division of any property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
 17. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

18. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
19. That all requirements of the Zoning Ordinance be met.
20. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not the plan herein presented, are to remain in full force and effect.
21. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
22. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
23. That the open storage area shall be enclosed with a 6' high chain link fence on the south side extending out from the 6' high masonry wall.

MOTION carried.

8. Final Preliminary Plat, Revised Landscaping with Entrance Signage; Strathmore Subdivision 104 lots; Located on the east side of Luchtman Road, 1,079 feet south of 26 Mile Road; L & C 26 Mile Road Properties, Petitioner. Permanent Parcel No. 08-04-100-015.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations of approval.

Public Portion: None.

Petitioner: John Thompson of Atwell Hicks along with John Deporit of Pulte Homes.

MOTION by KOEHS seconded by THOEL to forward to the Township Board of Trustees to approve the Final Preliminary Plat, Revised Landscaping with Entrance Signage; Strathmore Subdivision 104 lots; Located on the east side of Luchtman Road, 1,079 feet south of 26 Mile Road; L & C 26 Mile Road Properties, Petitioner. Permanent Parcel No. 08-04-100-015.

1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:

- a. **Macomb County Road Commission**
 - b. **Office of Public Works Commission of Macomb County**
 - c. **Macomb County Health Department**
 - d. **Macomb County Planning Commission**
 - e. **Michigan Department of Environmental Quality**
 - f. **All public utility companies affected**
 - g. **That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.**
2. **That the Township Engineer approves all engineering plans for the computed plat.**
3. **That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**
4. **Further that the Township Engineer be satisfied that those conditions imposed as part of the tentative preliminary plat approval have been incorporated into the Final Preliminary Plat.**
5. **That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.**
6. **Flood Plain Map Amendments and or Requirements. Please be advised that it is the responsibility for the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.**
7. **That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.**
8. **That the "Landscape Easement" that area labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping" has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the**

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

Township and the bond posted of the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.

- 9. That the final preliminary plat approval expires two years from the date of the Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.**
- 10. All street names be cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits two (2) copies of the plat to the supervisor's office for addressing. Addressing will be assigned after Final Preliminary Plat approval by the Township Board.**
- 11. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department as to be 4" X 4" black posts with two inch white letters so that the street can be easily identified during the construction of the plat.**
- 12. That the restrictive covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The 'Restrictive Covenants' must be approved by the Township Attorney before an application will be received for Final Plat.**
- 13. That the Articles of Incorporation for the Homeowners' Association for the subdivision have been approved by the Township Attorney. The 'Articles of Incorporation' must be approved by the Township Attorney before an application will be received for Final Plat.**
- 14. The Landscape plan shall be revised to provide for a 10 foot setback for the wall on Luchtman Road.**

MOTION carried.

- 9. Final Preliminary Plat; Buckingham Village Subdivision No. 2 (Phase I & II) 181 lots; Located on the south side of 23 Mile Road east of Heydenreich Road; GTR Builders, Petitioner. Permanent Parcel No. 08-22-100-018.**

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations of approval.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

Public Portion: None.

Petitioner: Christopher Cousino of GTR Builders.

MOTION by AUSILIO seconded by PENZEIN to forward the recommendation to the Township Board of Trustees to approve the Final Preliminary Plat; Buckingham Village Subdivision No. 2 (Phases I & II) 181 lots; Permanent Parcel No. 08-22-100-018. This motion is based upon the Planning Consultants recommendations as follows:

1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:
 - h. Macomb County Road Commission
 - i. Office of Public Works Commission of Macomb County
 - j. Macomb County Health Department
 - k. Macomb County Planning Commission
 - l. Michigan Department of Environmental Quality
 - m. All public utility companies affected
 - n. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.
2. That the Township Engineer approves all engineering plans for the computed plat.
3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval be met.
5. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.
6. Flood Plain Map Amendments and or Requirements. Please be advised that it is the responsibility for the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

amendment on the flood plain map prior to the issuance of any building permits.

- 7. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.**
- 8. That the “landscape easement”; that area labeled on the plat as, “The entire common area is subject to a private easement dedicated to the ownership association for landscaping” has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the Township and the bond posted for the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.**
- 9. That the final preliminary approval expires two years from the date of the Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.**
- 10. All street names be cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits two (2) copies of the plat to the Supervisor’s Office for addressing. Addressing will be assigned after Final Preliminary Plat approval by the Township Board.**
- 11. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department are to be 4” x 4” black posts with two inch white letters so that the street can be easily identified during the construction of the plat.**
- 12. That the Restrictive Covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The ‘Restrictive Covenants’ must be approved by the Township Attorney before an application will be received for Final Plat.**
- 13. That the Articles of Incorporation for the Homeowners’ Association for the subdivision have been approved by the Township Attorney. The ‘Articles of Incorporation’ must be approved by the Township Attorney before an application will be received for Final Plat.**

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

14. That the agreement between the Township and applicant regarding permission to divert flow to the 23 Mile Road sewer has been approved by the Township Attorney. The agreement must be approved and on file with the Township Clerk before an application will be received for Final Plat.
15. The boulevard entrance sign is subject to the approval of the RCMC. The applicant must present evidence to the Township Clerk that approval has been received from the RCMC prior to any permits are issued for the construction of said sign.

MOTION carried.

OLD BUSINESS:

10. Extension of Time; Tentative Preliminary Plat; Quadrate Corporate Park Subdivision Phase II; Located on the north side of 23 Mile Road and approximately 2,600 feet east of Hayes Road; Quadrate Development, LLC., Petitioner. Permanent Parcel No. 08-18-400-006.

MOTION by MEERSCHAERT seconded by THOEL to forward the recommendation to the Township Board of Trustees to approve the Extension of Time for one year to expire January 29, 2005 for the Tentative Preliminary Plat; Quadrate Corporate Park Subdivision Phase II; Permanent Parcel No. 08-18-400-006.

MOTION carried.

11. Motion to receive and file all correspondence in connection with this agenda.

MOTION by THOEL seconded by MEERSCHAERT to receive and file all correspondence in connection with the February 3, 2003 Planning Commission Agenda.

MOTION carried.

PLANNING CONSULTANTS COMMENTS: None.

BOARD COMMENTS: None.

ADJOURNMENT:

MOTION by AUSILIO seconded by PENZIEN to adjourn the meeting at 7:35 P.M.

MOTION carried.

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
HELD TUESDAY, FEBRUARY 3, 2004

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, Secretary

Minutes prepared by: Michael D. Koehs, Township Clerk
MDK/gmb